

REGULAR MEETING
September 12, 2005

The Regular Meeting of the Annapolis City Council was held on, September 12, 2005 in the Council Chamber. Mayor Moyer called the meeting to order at 7:30 p.m.

Present on Roll Call: Mayor Moyer, Aldermen Hammond, Tolliver, Cordle, Fox, Cohen, Alderwoman, Carter

Alderwoman Hoyle arrived at 7:32 p.m.
Alderman Kelley arrived at 7:35 p.m.

Staff Present: Assistant City Attorney Hudson

- Alderman Fox moved to approve the Journal of Proceedings for July 11, 2005 Regular, July 25, 2005 Special, July 27, 2005 Special and, July 27, 2005 Closed. Seconded. CARRIED on voice vote.

AWARDS AND PRESENTATIONS

Mayor Moyer presented a shovel on behalf of the fallen firefighters to Acting Fire Chief Smith.

PETITIONS, REPORTS AND COMMUNICATIONS

-Mary E. Herndon, 2004 Harbour Gates Drive #120, Annapolis, Maryland 21401 spoke regarding the Annapolis Transit Systems lack of air conditioning on the buses.

-Willie A. Charles, 10 Juliana Circle West, Annapolis, Maryland 21401 spoke in opposition to the Hendricks Classification and Compensation Study.

-Chris Ledoux, 215 Severn Avenue, Annapolis, Maryland 21403 spoke regarding R-34-05. Tom Davies, 16 College Avenue, Annapolis, Maryland 21401 representing Annapolis Preservation Trust spoke in favor of 0-4-05.

LEGISLATIVE ACTION

CHARTER AMENDMENT

CA-1-05 For the purpose of amending the Charter of the City of Annapolis to remove responsibility for management of the MarketHouse from the Department of Central Services.

Alderman Tolliver moved to adopt CA-1-05 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee

ORDINANCES

O-4-05 For the purpose of prohibiting the use of a density bonus in exchange for the development of moderately priced dwelling units in the Annapolis Historic District; and matters generally relating to said density bonus.

Alderman Hammond moved to adopt O-4-05 on second reading. Seconded.

The Economic Matters Committee reported favorably on O-4-05.

The main motion CARRIED on voice vote.

Alderman Hammond moved to adopt O-4-05 on third reading. Seconded. CARRIED on voice vote.

O-21-05 For the purpose of realigning the boundaries of certain election wards to reflect annexations since the 2000 Census; and matters generally relating to said realignment of the election wards.

Alderman Cohen moved to adopt O-21-05 on second reading. Seconded.

The Rules & City Government Committee reported favorably with amendments.

Alderman Cordle moved to table O-21-05. Seconded. CARRIED on voice vote.

O-32-05 For the purpose of specifying that the personal property tax rate shall be 2.5 times the rate established for real property; and matters generally relating to said personal property tax rate.

Alderman Hammond moved to adopt O-32-05 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

O-33-05 For the purpose of authorizing the City to lease certain municipal property to First Night Annapolis, Inc. (FNA) on and around New Year's Eve 2006; approving the provision of City services to FNA for less than full costs; and all matters relating to said lease.

Alderman Cohen moved to adopt O-33-05 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee.

O-34-05 For the purpose of strengthening standards for storage in the outside areas of residential properties; and matters generally relating to outside storage.

Alderman Hammond moved to adopt O-34-05 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee.

O-35-05 For the purpose of adding to the Code of the City of Annapolis provide that there must be adequate public facilities, including schools, roads, and other resources, as a condition of approval to develop certain property in the City of Annapolis.

Alderman Fox moved to adopt O-35-05 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee and Planning Commission.

Non-standard Vehicles

O-31-05 For the purpose of improving the safety of pedestrians, traffic, and animals through the establishment of regulations for nonstandard vehicles such as horse carriages, operators of nonstandard vehicles, and any animals used to power nonstandard vehicles; deleting specific pedicab regulations and subsuming within nonstandard vehicles; and matters generally relating to said nonstandard vehicles.

Alderman Hammond moved to adopt O-31-05 on first reading. Seconded. CARRIED on voice vote.

Referred to the Public Safety Committee.

R-26-05 For the purpose of establishing fees for Nonstandard Vehicle Permits and Nonstandard Vehicle Operator Permits; and matters generally relating to said fees.

Alderman Hammond moved to adopt R-26-05 on first reading. Seconded.

CARRIED on voice vote.

- R-27-05 For the purpose of revising the Fees Schedule to replace the fine for pedicabs with a fine of the same amount for nonstandard vehicles; and all matters relating to said penalty.**

Alderman Hammond moved to adopt R-27-05 on first reading. Seconded.
CARRIED on voice vote.

RESOLUTIONS

- R-25-05 For the purpose requesting the United States Internal Revenue Service to keep open its Annapolis Taxpayer Assistance Center (TAC); and all matters relating to the Annapolis TAC.**

Alderman Hammond moved to adopt R-25-05 on second reading. Seconded.

Alderman Hammond moved to amend R-25-05 as follows:

On page 1, in lines 22, 27, and 31, delete the second "whereas" each time it appears.

Seconded. CARRIED on voice vote.

The main motion amended CARRIED on voice vote.

- R-28-05 For the purpose of officially naming "Anne Lane," a new street in the Acton Landing development currently referred to as the Charles Street extension; and matters generally relating to said street naming.**

Alderman Hammond moved to adopt R-28-05 on first reading. Seconded.
CARRIED on voice vote.

- R-29-05 For the purpose of adopting the Bates Neighborhood Community Legacy Plan as an Addendum to the Comprehensive Plan, to serve as a guide for stabilizing and improving the Bates Neighborhood and as a basis for seeking Federal, State and local resources.**

Alderman Hammond moved to adopt R-29-05 on first reading. Seconded.
CARRIED on voice vote.

- R-31-05 For the purpose of establishing the City of Annapolis Energy Efficiency Task Force to study the application and recommend the implementation of energy efficient standards to reduce our reliance upon foreign petroleum.**

Alderman Hammond moved to adopt R-31-05 on first reading. Seconded.
CARRIED on voice vote.

- R-32-05 For the purpose of adopting the Annapolis Historic Preservation Commission's *Historic District Design Manual* as the City of Annapolis' guidelines for rehabilitation and new construction design for designated sites, structures, and districts that are consistent with those generally recognized by the Maryland Historical Trust.**

Alderman Hammond moved to adopt R-32-05 on first reading. Seconded.
CARRIED on voice vote.

- R-33-05 For the purpose of creating the new position of Transportation Grants/Parking Coordinator in the Department of Transportation; reclassifying the Assistant Water Plant Superintendent in the Department of Public Works; and all matters relating to said job descriptions, pay grades and reclassifications.**

Alderman Hammond moved to adopt R-33-04 on first reading. Seconded. CARRIED on voice vote.

R-34-05 For the purpose of directing the Mayor and the Finance Committee to identify \$50,000 of funds from non-essential services in the FY2006 operating budget which will be donated on behalf of the citizens and businesses of Annapolis to the American Red Cross for Hurricane Katrina relief efforts; directing that the fund transfer be brought before the City Council by October 10, 2005; and encouraging other governmental units to similarly donate funds.

Alderman Cohen moved to adopt R-34-05 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

BUSINESS AND MISCELLANEOUS

1. Payment of Monthly Bills

Alderman Carter moved to pay the monthly bills. Seconded. CARRIED on voice vote.

2. Appointments

Alderman Tolliver moved to approve the Mayor's appointment & reappointments of the following individuals:

9/5/05 Ethics Commission	L. Robert Marchand
9/5/05 Civil Service Board	James R. Renfro
9/5/05 Art in Public Places	Rani Jenkins
9/5/05 Environmental Commission	Christopher J. Trumbauer
9/5/05 Environmental Commission	Pete J. Gray
9/5/05 Environmental Commission	Michelle O'Brien

Seconded. CARRIED on voice vote.

3. The acceptance / rejection of the withdrawal of Annapolis Market House, LLC, from the MarketHouse Lease.

Alderman Fox moved to accept withdrawal of Annapolis Market House, LLC, from the MarketHouse Lease. Seconded.

Alderman Fox moved the previous question to end the debate. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderman Carter, Alderman Fox

NAYS: Alderman Hammond, Tolliver, Kelley, Cordle, Cohen, Alderman Hoyle

DEFEATED: 3-6

At 9:07 p.m., Mayor Moyer requested Alderman Cohen to preside over the meeting during her absence.

At 9:13 p.m., Mayor Moyer resumed the duties of the Chair.

The main motion CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:18 p.m.

**REGINA C. WATKINS-ELDRIDGE, CMC
ACTING CITY CLERK**